

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 45795.23.1

MASTERS

Application No.: 09/922,418

Examiner: SULLIVAN, D.

Filed: August 3, 2001

Group Art Unit: 1616

For: DEVICES INCLUDING PROTEIN MATRIX MATERIALS AND METHODS OF
MAKING AND USING THEREOF

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

REMARKS

This communication is filed in response to the Office Communication of June 5, 2008. Applicants, through their attorney, elect with traverse the invention of Group I, claims 1 – 17 and 50 – 66, drawn to a current released drug delivery system, classified in class 424, subclass 422. Furthermore, Applicants elect with traverse the following species that are claimed and found in claims 1, 2, 3, 5, 6, 7, 11, 12, 14, 15, 50, 51, 52, 54, 55, 56, 60, 61, 62, 63, 64, 65 and 66: the protein elected is collagen; the pharmacologically active agent(s) elected are analgesics; the polymeric material elected is polymethyl methacrylate; and the crosslinking reagent elected is glutaraldehyde. However, regardless of the election, it should be noted that a few of the elected species are only identified specifically in the dependent claims (e.g. polymeric materials and crosslinking reagent(s)) and are not specifically identified in the broadest independent claim as of the original filing. Therefore, there are embodiments within the broad